

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, APRIL 20, 2015**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, April 20, 2015, with Councillor Lewis presiding.

Councillor Oliver recognized Reverend Harry Spigner of the Tabernacle A.M.E. Church, who led the opening prayer. Councillor Oliver then invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*  
*0 ABSENT:*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor McQuillen recognized former City-County Council and long-time Councillor Dr. Phil Borst. Councillor Adamson recognized IndyCAN members in attendance. Councillor Pfisterer recognized Allison Transmission representatives and local businessman Eric Dickerson. Councillor Cain introduced community activists Angela Cain and Tim Craft. Councillor Miller recognized members of the Fraternal Order of Police executive staff. Councillor Lutz recognized the director of the Indianapolis Airport, Mario Rodriguez. Councillor Clay recognized Pastor David Green of the Purpose of Life Church. Councillor Tew recognized IBEW Local president Steve Metzer. Councillor Gooden recognized friend and colleague John Kasselmann. Councillor Jackson recognized Rufus “Bud” Myers, executive director of the Indianapolis Housing Agency. Councillor McQuillen recognized community activist Skylar O’Riley.

## OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 20, 2015 , at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Maggie A. Lewis  
President, City-County Council

April 6, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Wednesday, April 8, 2015 a copy of a Notice of Public Hearing on Proposal Nos. 103, 104 and 106, 2015, said hearing to be held on Monday, April 20, 2015, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/NaTrina DeBow  
Clerk of the City-County Council

April 8, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

FISCAL ORDINANCE NO. 9, 2015 – approves an additional appropriation of \$250,000 in the 2015 Budget of the City-County Council (City Cumulative Capital Fund) for a voting system and legislative management upgrade

FISCAL ORDINANCE NO. 10, 2015 – approves an additional appropriation of \$7,730,000 in the 2015 Budget of the Department of Metropolitan Development (Federal Grants Fund) for the acquisition of property and capital improvement projects and for various housing projects, funded by CDBG and HOME grant dollars from the U.S. Department of Housing and Urban Development

FISCAL ORDINANCE NO. 11, 2015 – approves an additional appropriation of \$562,595 in the 2015 Budget of the City-County Council (Consolidated County General Fund) for the funding of an Engagement Center located at 742 E. Market Street

FISCAL ORDINANCE NO. 13, 2015 – approves an additional appropriation of \$550,000 in the 2015 Budget of the Department of Public Works (Federal Grant Funds) to cover program costs for Air Quality education and temporary projects and programs to explore possibilities for the Monument Circle reconstruction project, funded by unspent Knozone Grant dollars and a National Endowment for the Arts "Our Town" grant

FISCAL ORDINANCE NO. 14, 2015 – approves an additional appropriation of \$6,611,218 in the 2015 Budget of the Department of Public Works (Stormwater Fund) to fund costs necessary for the impervious surfaces calculations, CIP development and to begin stormwater capital projects

FISCAL ORDINANCE NO. 15, 2015 – approves a transfer of \$30,500 in the 2015 Budget of the Department of Metropolitan Development (Federal Grant and General Funds) to purchase and utilize a new type of traffic

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counting video equipment for traffic flow studies, funded by a Highway Planning grant and local match dollars

GENERAL ORDINANCE NO. 11, 2105 – amends the Code to improve the administration of regulations pertaining to pawnbrokers and dealers in secondhand goods by allowing for electronic transaction records

GENERAL ORDINANCE NO. 12, 2015 – amends Chapter 135 of the Code to create a new non-reverting police recruiting fund

GENERAL ORDINANCE NO. 13, 2015 - approves intersection controls for Aylesworth Court, Pleasant Garden Lane and Heartland Boulevard (District 22)

GENERAL ORDINANCE NO. 14, 2105 – authorizes parking restrictions on College Avenue near North and Eleventh Streets (District 9)

GENERAL ORDINANCE NO. 15, 2015 – authorizes parking restrictions on Park Avenue from Michigan Street to Massachusetts Avenue (District 9)

GENERAL ORDINANCE NO. 16, 2015 - authorizes intersection controls in the Valley Ridge at Heartland Crossing subdivision (District 22)

GENERAL ORDINANCE NO. 17, 2105 – authorizes intersection controls at Lee and Miller Streets and parking restrictions on Richland Street (District 19)

GENERAL ORDINANCE NO. 18, 2015 – authorizes intersection controls and one-way restrictions on Alabama, Delaware and Pearl Streets (Districts 15 and 19)

GENERAL ORDINANCE NO. 19, 2015 – authorizes intersection controls in the Cumberland Lakes subdivision (District 18)

GENERAL ORDINANCE NO. 20, 2105 – authorizes intersection controls in the Cherry Lake subdivision (District 18)

GENERAL ORDINANCE NO. 21, 2015 – authorizes a speed limit reduction in the Holly Hills subdivision (District 24)

GENERAL RESOLUTION NO. 5, 2015 – authorizes the Marion County Assessor to dispose of certain parcels that have an appraised value of \$50,000 or more

GENERAL RESOLUTION NO. 6, 2015 – amends General Resolution No. 10, 2014 to correct the boundaries of the expanded Fall Creek/Citizens Consolidated Redevelopment Area

SPECIAL RESOLUTION NO. 10, 2015 – recognizes the Cathedral High School football team for winning the 5A State Title in 2014 and making the Irish the first team in state history to win five consecutive state titles

SPECIAL RESOLUTION NO. 11, 2015 – recognizes Coach Rick Streiff of Cathedral High School for winning the most titles as head football coach

SPECIAL RESOLUTION NO. 12, 2015 – declares the week of March 23-27, 2015 as being recognized as Farm Workers Awareness Week and honors the spirit and work of Cesar Chavez

SPECIAL RESOLUTION NO. 13, 2015 - opposes the Indiana General Assembly's passage of Senate Enrolled Act 101, also known as the Religious Freedom Restoration Act (RFRA), and encourages State legislators to amend the Civil Rights section of the Indiana Code and to uphold and protect local anti-discrimination ordinances by exempting them from SEA 101

s/Gregory A. Ballard, Mayor

TO THE CLERK OF THE CITY-COUNTY COUNCIL:

Pursuant to the authority vested in the Office of Mayor by Indiana Code § 36-3-4-16, I hereby veto Proposal 47, 2015, presented to me on April 10, 2015, for the reason stated below.

For more than seven years, my administration has worked with the Council to steer Indianapolis through some extremely difficult financial times. Despite these challenges, we have found ways to cut spending and still provide excellent service to residents. Proposition 47 represents a complete departure from this commonsense budgeting approach, and, thus, I must veto it.

The 2015 budget was created only a few short months ago, with collaborative input from the Controller and Council staff. None of the items addressed in Proposal 47 were included in the budget, quite simply, because no one from the Department of Public Safety asked for any of these items. Council Democrats did not consult with DPS or the City Controller to determine priorities or fiscal impact. A brief meeting or even a phone call to either department would have allowed city staff to explain that plans are already in the works for a regional firing range, and investment in the current facility is not wise. Communication also would have let Council Democrats know that non-pursuit DPS vehicles are being replaced right now with electric

vehicles – a move that will free up hundreds of patrol cars for the force. Much of the spending in Proposal 47 is based on discussions that excluded senior IMPD command staff and DPS leadership.

Furthermore, the proposal ignores our responsibility to pay back Fiscal Stability Fund dollars that were loaned to hire officers in 2014. We must and will pay back that loan this year. Ratings agencies are keenly aware of our obligation to replenish the Fiscal Stability Fund, and failure to meet our obligation will harm the city's credit rating.

Proposal 47 is being touted as a support measure for public safety, but nothing in the proposal meets the most immediate needs of our public safety agencies or the fiscal health needs of the city. An appropriation that wasn't budgeted and isn't necessary is nothing more than an irresponsible waste of taxpayer dollars. Our taxpayers and public safety agencies deserve better.

s/Gregory A. Ballard, Mayor

## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed.

Councillor Hunter moved, seconded by Councillor Freeman, to move Proposal No. 47, 2015 under Unfinished Business up on the agenda to be heard between Proposal Nos. 142 and 16, 2015 under Presentation of Petitions, Memorials and Special Resolutions. The agenda was amended by a unanimous voice vote.

Without further objection, the agenda was adopted as amended.

## **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journals of March 30, 2015. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 138, 2015. The proposal, sponsored by Councillor Adamson, recognizes April 28, 2015 as Workers Memorial Day. Councillor Adamson read the proposal and presented representatives with copies of the document and Council pins. Chris Brickly thanked the Council for the recognition. Councillor Adamson moved, seconded by Councillor Hickman, for adoption. Proposal No. 138, 2015 was adopted by a unanimous voice vote.

Proposal No. 138, 2015 was retitled SPECIAL RESOLUTION NO. 14, 2015, and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 14, 2015**

A SPECIAL RESOLUTION recognizing April 28, 2015, as Workers Memorial Day.

WHEREAS, Workers Memorial Day was established on April 28, 1989; and

WHEREAS, on that day in 1995, the State of Indiana dedicated a memorial statue at West Street and Government Drive to honor all those workers in the State of Indiana who had lost their lives on the job; and

WHEREAS, every year tens of thousands of American workers, including many in our own community, are killed, permanently disabled, injured or made ill by workplace injuries and occupational disease; and

WHEREAS, this year, we continue to mourn those who have died while on active duty fighting on foreign soil; and

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WHEREAS, concerned Americans are determined to prevent these tragedies by: observing Workers Memorial Day on April 28, as a day to remember these victims of workplace injuries; renewing efforts to seek stronger safety and health protections, better standards and enforcement and fair and just compensation; and by rededicating ourselves to improving safety and health in every American workplace; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council joins with others throughout the country to acknowledge those workers who have given their lives and limbs in the name of commerce and industry.

SECTION 2. The Council further commits to the adage made famous by Mary Harris "Mother" Jones, which reads, "Pray for the dead and fight for the living."

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 139, 2015. The proposal, sponsored by Councillor Pfisterer, recognizes Allison Transmission on its 100th Anniversary. Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. President Dewey, Allison Transmission, thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 139, 2015 was adopted by a unanimous voice vote.

Proposal No. 139, 2015 was retitled SPECIAL RESOLUTION NO. 15, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 2015

A SPECIAL RESOLUTION recognizing Allison Transmission on the 100<sup>th</sup> anniversary.

WHEREAS, Allison Transmission traces its corporate lineage back to the founding of the Indianapolis Speedway Team Company in 1915; and

WHEREAS, as a co-founder of the Indianapolis Motor Speedway and part owner of several racing teams, James A. Allison established a precision machine shop and experimental firm on Main Street in Speedway called the Allison Experimental Company to support his racing endeavors; and

WHEREAS, Mr. Allison's company, known for quality workmanship, was so successful that the company grew and evolved to become Allison Transmission; and

WHEREAS, Allison Transmission is the world's largest manufacturer of fully automatic transmissions for medium- and heavy-duty commercial vehicles, and is a leader in hybrid-propulsion systems for city buses; and

WHEREAS, having a humble beginning as a small machine shop, Allison Transmission has grown tremendously having approximately 2,700 employees; a market presence in more than 80 countries, including manufacturing facilities in the United States, Hungary and India; and annual revenue of approximately \$2 billion; and

WHEREAS, Allison Transmission is celebrating its centennial throughout 2015 with events and activities in the community. The celebration will not only recognize the company, but it will also honor the many generations of employees who have devoted their careers to manufacturing excellence under the Allison name; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Allison Transmission on its 100<sup>th</sup> anniversary.

SECTION 2. The Council thanks Allison Transmission being an economic and community anchor in the Town of Speedway and the City of Indianapolis and wishes it continued success.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 140, 2015. The proposal, sponsored by Councillors McQuillen, Lutz, Pfisterer, Sandlin, Shreve and McHenry, recognizes the Indianapolis International Airport as being named the best airport in North America for 2014. Councillor McQuillen read the proposal and presented representatives with copies of the document and Council pins. Executive Director Mario Rodriguez and Dr. Phil Borst, board president, thanked the Council for the recognition. Councillor McQuillen moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 140, 2015 was adopted by a unanimous voice vote.

Proposal No. 140, 2015 was retitled SPECIAL RESOLUTION NO. 16, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 16, 2015

A SPECIAL RESOLUTION recognizing the Indianapolis International Airport as being named the best airport in North America for 2014.

WHEREAS, the Indianapolis International Airport (IND) was recently recognized as the best airport in North America, as part of the Airports Council International's (ACI) prestigious annual Airport Service Quality Awards for Performance Excellence; and

WHEREAS, for the fourth time in the last five years, IND has received the top honor of best airport and has been ranked in the top three airports in North America since 2010; and

WHEREAS, the Indianapolis International Airport employs roughly 10,000 people each day, serves more than seven million business and leisure travelers each year, and averages 138 daily flights to 34 nonstop destinations. IND also generates more than \$4.5 billion annually without relying on state and local taxes to fund its operations; and

WHEREAS, the Indianapolis International Airport is the first airport in the United States to win LEED® certification for an entire airport terminal campus. Additionally, IND has won recognition for its excellent customer service and concession programs, as well as its art and architecture; and

WHEREAS, over the last five years, the Indianapolis International Airport has demonstrated a consistent record of outstanding achievements, which is not only a great benefit to the millions of travelers who pass through the airport each year, but it is also a benefit to the City of Indianapolis and the entire State of Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the Indianapolis International Airport for being named as the best airport in North America for 2014.

SECTION 2. The Council congratulates the Indianapolis Airport Authority on its fourth honor, and thanks all of the hardworking employees and board members who helped make this outstanding achievement possible.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 141, 2015. The proposal, sponsored by Councillors McQuillen, Pfisterer, Shreve, Sandlin and McHenry, recognizes Visit Indy for their dedicated efforts in bringing tourism to Indianapolis. Councillor McQuillen read the proposal and presented representatives with copies of the document and Council pins. Leonard Hoops, Visit Indy, thanked the Council

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for the recognition. Councillor McQuillen moved, seconded by Councillor Sandlin, for adoption. Proposal No. 141, 2015 was adopted by a unanimous voice vote.

Proposal No. 141, 2015 was retitled SPECIAL RESOLUTION NO. 17, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 2015

A SPECIAL RESOLUTION recognizing Visit Indy for their dedicated efforts in bringing tourism to Indianapolis.

WHEREAS, Visit Indy has proudly served as the official sales and marketing organization for the City of Indianapolis since 1923, having the charge of driving tourism and enhancing the perception of the City; and

WHEREAS, in 2014, Visit Indy produced the following record-setting results: booking 880,552 convention hotel room-nights, ensuring future convention business as far out as 2026; generating 296,521 hotel room-nights during summer weekends; and receiving 2.41 million website visits to its main marketing portal, VisitIndy.com, which helps convert traveler research into actual trips to Indy; and

WHEREAS, Indianapolis was recognized as *USA Today's* #1 Convention City in the United States; and was also included on the *New York Times* "52 Places to Go" list. Both of these recognitions served as major boosts to the appeal of the City; and

WHEREAS, tourism is an economic engine for the City of Indianapolis, generating roughly \$4.4 billion in economic impact each year. The efforts of Visit Indy translated into approximately \$1 billion in incremental economic impact for the City, which in turn, provided over 75,000 full-time equivalent jobs in Central Indiana; and

WHEREAS, on March 18, 2015, Visit Indy held its 24th Annual Rose Awards, honoring 100 of these 75,000 hospitality workers for their extraordinary "Hoosier Hospitality" service to the City's 26 million visitors; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Visit Indy for their dedicated efforts in bringing tourism to Indianapolis.

SECTION 2. The Council sincerely thanks the professionals of Visit Indy for their devotion to the growth of Indianapolis.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 142, 2015. The proposal, sponsored by Councillor Mansfield, honors Greenbriar Elementary School and nine other Indianapolis area schools for recycling over 12 tons of outdated telephone directories and for their efforts to make Indianapolis environmentally friendly. Councillor Mansfield read the proposal and presented representatives with copies of the document and Council pins. Carey Hamilton, Recycle Indy, and students Benedict, Juliana, Melissa, Leslie, Katie, Lily and Emmy thanked the Council for the recognition. Councillor Mansfield moved, seconded by Councillor Barth, for adoption. Proposal No. 142, 2015 was adopted by a unanimous voice vote.

Proposal No. 142, 2015 was retitled SPECIAL RESOLUTION NO. 18, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 18, 2015

A SPECIAL RESOLUTION honoring Greenbriar Elementary School and nine other Indianapolis area schools for recycling over 12 tons of outdated telephone directories and for their efforts to make Indianapolis environmentally friendly.

WHEREAS, telephone book paper is made primarily from lumber production by-products, such as sawdust and wood chips and recycled paper waste, such as old directories; and

WHEREAS, recycled telephone books are then made into useful products, such as animal bedding, home insulation, bathroom tissue, cereal boxes, roofing shingles and new telephone books; and

WHEREAS, the Indiana Recycling Coalition, a not-for-profit organization, whose mission is to advance waste reduction, reuse, composting and recycling, supports telephone book recycling; and

WHEREAS, the YP Cares Telephone Directory Recycling Challenge is a program where Indiana Recycling Coalition teams with YP and Republic Waste Services; and

WHEREAS, the following schools participated in the challenge, which was held at Decatur Central High School: Greenbriar Elementary; Northview Middle School; Center for Inquiry #2; Fox Hill Elementary; Jonathan Jennings Elementary #109; Bunker Hill Elementary; Sunnyside Elementary, Southport High School, Paul I. Miller Elementary #144; and CHOICE Academy; and

WHEREAS, Greenbriar Elementary School came in first place for this year's program by collecting 7.11 tons of directories; Northview Middle School placed second with 1.54 tons of directories, and Center for Inquiry #2 and Fox Hill Elementary tied for third with 1.01 tons of directories each; and

WHEREAS, additionally, almost three tons of directories were collected at public drop-off locations at Republic Services, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1: The Indianapolis City-County Council proudly honors Greenbriar Elementary School and nine other Indianapolis area schools for recycling over 12 tons of outdated telephone directories and for their efforts in making Indianapolis environmentally friendly.

SECTION 2: The Council congratulates all schools, parents, teachers and everyone in the community for participating in the total collection of over 15 tons of directories, and encourages continued efforts to keep Indianapolis beautiful.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 47, 2015. The proposal, sponsored by Councillors Lewis, Tew, Osili, Barth, Adamson, Hickman, Moriarty Adams, Mascari and Scales, appropriates \$4,700,000 in the 2015 Budget of the Department of Public Safety, Indianapolis Police Department (IMPD General and Public Safety Income Tax Funds) for various public safety initiatives. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee recommended the proposal to the full Council for passage on March 30, 2015. The proposal was adopted by the Council on March 30, 2015 by a vote of 24-4, and subsequently vetoed by Mayor Gregory Ballard on April 10, 2015.

Councillor Moriarty Adams said that she has reviewed the last three budgets presented by the Department of Public Safety (DPS) and Indianapolis Metropolitan Police Department (IMPD), and in the slides presented, they specifically asked for better vehicles, as repairs on existing vehicles are challenging. She added that the department has not addressed the condition of the



firearms facility, and she feels they have increased liability. She outlined some of the repairs that are needed at the training facility and armory. She said that she has spoken to DPS officials, and none of them have specifically opposed funding for these issues, even though they have done very little to remediate these serious hazards. She asked her colleagues to let their votes speak louder than the Mayor's words this evening. Councillor Moriarty Adams moved, seconded by Councillor Adamson, to override the Mayor's veto.

Councillor Freeman stated that he is ill, and despite the advice from his doctor, he wanted to be here this evening to cast his vote on this item. He said that he was one of the four Council members who originally voted against this proposal, even though he fought hard to get more police officers in light of the high rate of retirements. Since that vote, he spoke with an IMPD officer's wife, and explained why he would not vote to override the veto. This officer's wife, however, explained the low morale of her husband and hundreds others like him and examples of duct tape holding the front bumper on a pursuit vehicle. She said that the executive officers have been given new electric vehicles which do not even have a trunk, so they drive around with a machine gun lying on their back seat. She said that they are also being asked to pay to take cars home, and all of this only increases the low morale. Councillor Freeman said that this conversation was the perfect storm for him and he is willing to admit when he is wrong. He encouraged his colleagues to vote to override the veto.

Councillor Scales said that IMPD has over 500 cars with more than 100,000 miles on them, and they have been asking for the money to replace them for years. At this point, they are costing the city more in repairs than it would cost to buy new ones. She said that it would make more sense to rotate the older vehicles to the administrators, but instead, the mayor upgraded the administrators with hybrid electric vehicles. The mayor insists that there is not \$4.7 million in the budget and that the Fiscal Stability Fund needs to be paid back, yet he diverts \$5 million to pay for a preschool program that is not the city's responsibility and is not asking them to pay back the money. She said that he also just used \$3.2 million to pay for hybrid electric cars. She said that they cannot afford to have police cars out of commission or officers in unsafe cars. She urged her colleagues to override the veto.

Councillor Barth said that he appreciates Councillors Freeman and Scales coming in tonight while ill to specifically vote on this issue. He said that they have worked hard to make sure this city is safe, raising the public safety tax to protect neighborhoods. But they cannot have new officers on the streets unless they can equip and train them properly. He said that the Council needs to do what is right for the officers and the citizens.

Councillor Miller said that he re-watched a recent Public Safety and Criminal Justice Committee meeting, and when the Deputy Director of the Department of Public Safety (DPS), Valerie Washington, was asked what the number one need was for IMPD, she said that cars were number one. He said that other than bullet-proof vests, these are the most clearly needed safety tool officers need. He said that he agrees that the proposal was not introduced properly, but it is definitely needed, and he will therefore support the override.

Councillor Hickman said that she has watched public safety crash and burn while on the Council. She said that she did not support the public safety tax increase, because she was afraid it would be used as a slush fund, and the mayor has indeed tried to do that. She said that it is time to take care of the men and women on the street.

Councillor Pfisterer said that she has been weighing the pros and cons and thinking about this issue a lot. She said that she finds it ironic that hard and fast numbers are being requested for the

Criminal Justice Center, yet there is no estimate provided for the academy and gun range repairs. She said that she does have a right to change her mind, however, and after Councillor Freeman's testimony, she will support the vote to override the veto.

Councillor Gray moved, seconded by Councillor Adamson, to call the question and end debate. Debate was ended on the following roll call vote; viz:

15 YEAS: Adamson, Barth, Clay, Gray, Hickman, Jackson, Mansfield, Mascari, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Scales, Simpson  
14 NAYS: Cain, Evans, Freeman, Gooden, Holliday, Hunter, Lewis, Lutz, McHenry, McQuillen, Oliver, Sandlin, Shreve, Tew

The motion to override the Mayor's veto carried on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew  
1 NAY: McQuillen

Councillors Hunter, Adamson, and Sandlin asked to explain their votes. Consent was given. Councillor Hunter said that it is not always an easy decision to override a veto, but after discussion with the Fraternal Order of Police and Councillor Moriarty Adams, as the chair of the Public Safety and Criminal Justice Committee, he feels this is needed, and the range is in desperate need of repair. Councillor Adamson said that he is impressed tonight with the Council, and encouraged members to participate in a ride-along with officer to truly understand what they face day to day. Councillor Sandlin said that he opposed the proposal initially, but he supported the officers, whose lives and safety are at risk with the condition of these vehicles.

Proposal No. 47, 2015 was previously retitled FISCAL ORDINANCE NO. 8, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) by transferring and appropriating an additional \$4,700,000 for purposes of Department of Public Safety - IMPD.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2015 is hereby amended to reflect the increases and reductions hereinafter stated for purposes of IMPD, as listed in sections 2 through 4.

SECTION 2. The Department of Public Safety, Indianapolis Metropolitan Police Department, is requesting an additional appropriation of \$4,700,000 from the Public Safety Income Tax to the IMPD General Fund to cover the cost of 100 pursuit-rated and/or covert (undercover) vehicles, repairs to the Outdoor Range/Firearms Facility, and capital improvements at the IMPD Academy in 2015.

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
IMPD General	0	0	1,750,000	2,950,000	0	4,700,000

SECTION 3. Upon approval of this, and other pending approvals, the 2014 year end and projected 2015 year end fund balances are as follows:

<b>Fund</b>	Projected 2014 Year-End Balance	Projected 2015 Year-End Balance
City - Public Safety Income Tax	0	0
IMPD General	7,824,735	3,493,120

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 16, 2015. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 16, 2015 on April 15, 2015. The proposal, sponsored by Councillors Barth and Gray, reappoints Maggie Lewis to the Capital Improvement Board of Managers. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gray moved, seconded by Councillor Barth, for adoption. Proposal No. 16, 2015 was adopted on the following roll call vote; viz:

*26 YEAS: Barth, Cain, Clay, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*0 NAYS:*  
*3 NOT VOTING: Adamson, Freeman, Scales*

Proposal No. 16, 2015 was retitled COUNCIL RESOLUTION NO. 32, 2015, and reads as follows:

#### **CITY-COUNTY COUNCIL RESOLUTION NO. 32, 2015**

A COUNCIL RESOLUTION reappointing Maggie Lewis to the Capital Improvement Board of Managers.

#### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Capital Improvement Board of Managers, the Council reappoints:

Maggie Lewis

SECTION 2. The reappointment made by this resolution is for a term ending on January 15, 2016. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualified.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 67 and 68, 2015 on April 8, 2015. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 67, 2015. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, appoints Elizabeth Eglén to the Domestic Violence Fatality Review Team. PROPOSAL NO. 68, 2015. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Caroline Fisher to the Domestic Violence Fatality Review Team. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor Simpson, for adoption. Proposal Nos. 67 and 68, 2015 were adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Cain, Clay, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*

*0 NAYS:*

*3 NOT VOTING: Freeman, McQuillen, Scales*

Proposal No. 67, 2015 was retitled COUNCIL RESOLUTION NO. 33, 2015, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 33, 2015**

A COUNCIL RESOLUTION appointing Elizabeth Eglen to the Domestic Violence Fatality Review Team.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Domestic Violence Fatality Review Team (medical practitioner qualification), the Council appoints:

Elizabeth Eglen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2016. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 68, 2015 was retitled COUNCIL RESOLUTION NO. 34, 2015, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 34, 2015**

A COUNCIL RESOLUTION reappointing Caroline Fisher to the Domestic Violence Fatality Review Team.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Domestic Violence Fatality Review Team (intervention program employee qualification), the Council reappoints:

Caroline Fisher

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 121, 2015. Introduced by Councillor Hickman. The Clerk read the proposal entitled: "A Proposal for a General Resolution which determines the need to lease approximately 3,373 square feet of space at 5226 Elmwood for use by the Marion County Assessor"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 122, 2015. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes the Metropolitan Development Commission to issuance notes in an amount not to exceed \$12 million as part of the HUD Section 108 Loan Guarantee Program to support the Old City Hall project"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 124, 2015. Introduced by Councillors Pfisterer and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$505,122 in the 2015 Budget of the Marion County Clerk (County General Fund) funded by a transfer from the Marion Superior Court for reassignment of employees in compliance with the rules of the State Board of Accounts"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 125, 2015. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$31,500 in the 2015 Budget of the Marion County Circuit Court (County General Fund) for contractual services and office furniture"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 126, 2015. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves additional appropriations totaling \$281,000 in the 2015 Budget of the Department of Public Safety, Animal Care and Control and Homeland Security Divisions (City Cumulative Capital Fund) to purchase a mobile medical unit and update, maintain and repair the City-County outdoor emergency warning siren system"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 127, 2015. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which corrects Fiscal Ordinance No. 4, 2015 (Proposal No. 22, 2015) reallocating \$2,456,229 in the 2015 Budget of the Department of Public Safety, Indianapolis Metropolitan Police Department (IMPD General Fund and IMPD Recruit Subfund) to account for accurate available funds to cover the salaries and benefits of new IMPD recruits"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 128, 2015. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Sec. 279 of the Code regarding Police Merit Board member selection and the hiring, promoting and disciplining of police officers"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 129, 2015. Introduced by Councillors Moriarty Adams, Gray, Oliver and Simpson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Sec. 252 of the Code regarding the hiring, promoting and disciplining of firefighters and changing the provision for death leave for firefighters in the non-suppression division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 130, 2015. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which approves intersection controls at Michigan Street and Buren Place (District 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 131, 2015. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on 33rd Street, Campbell Avenue, Bolton Avenue and Priscilla Avenue as a public safety measure to deter crime and loitering (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 132, 2015. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls on Bolton Avenue and Graham Avenue at 14th Street (District 17"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 133, 2015. Introduced by Councillor Simpson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Brouse Avenue and 51st Street (District 9)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 134, 2015. Introduced by Councillors Osili and Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Cruse and Market Streets (Districts 15 and 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 135, 2015. Introduced by Councillors Moriarty Adams and Hunter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Michigan Street and Pleasant Run Parkway N. Drive (Districts 17 and 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 136, 2015. Introduced by Councillors Jackson and Hunter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at 10th Street, Washington Cove Lane and Winding Hart Drive (District Districts 18 and 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 137, 2015. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which approves an additional appropriation of \$6,900,132 in the 2015 Budget of the Department of Public Works (Rebuild Indy and Transportation General Funds) to fund transportation infrastructure projects"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 143, 2015. Introduced by Councillors Lewis and Adamson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates the proceeds of IndyRoads Revenue Bonds, not to exceed \$35 million, to fund the cost of certain street, road, curb and sidewalk projects, along with incidental expenses"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 144, 2015. Introduced by Councillor Gooden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizing taxi and limousine parking on Broad Ripple Avenue (District 3)"; and the President referred it to the Public Works Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 123, 2015. Introduced by Councillor Robinson. Proposal No. 123, 2015 is a proposal for Rezoning Ordinance certified by the Metropolitan Development Commission on April 10, 2015. The President called for any motions for public hearings on any of those zoning maps changes.

Councillor Miller made the following motion:

Madam President:

April 20, 2015

I move that Proposal No. 123, 2015 (Rezoning Case 2014-CZN-835) be scheduled for a hearing before this Council at its next regular meeting on May 11, 2015 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor McQuillen seconded the motion, and Proposal No. 123, 2015 was scheduled for public hearing on May 11, 2015 by a unanimous voice vote and is identified as follows:

PROPOSAL NO. 123, 2015.

2014-CZN-835

340 South White River Parkway, West Drive

CENTER TOWNSHIP, CD #19

City of Indianapolis, by Matthew M. Price request Rezoning of 55.24 acres from the I-4U (RC) district to the CBD-S (RC) classification to provide for a consolidated justice center, including county courts, county jail, community corrections, county sheriff, other related municipal public safety functions and other office uses.

General Counsel Fred Biesecker made the following announcement:

Madam President:

This Council will hold a public hearing on Rezoning Petition No. 2014-CZN-835, Council Proposal No. 123, 2015, at its next regular meeting on Monday, May 11, 2015, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 55.24 acres from the I-4U (RC) district to the CBD-S (RC) classification to provide for a consolidated justice center, including county courts, county jail, community corrections, county sheriff, other related municipal public safety functions and other office uses.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 103, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 103, 2015 on April 7, 2015. The proposal, sponsored by Councillor Moriarty Adams, appropriates an additional \$32,000 in the 2015 Budget of the Marion County Election Board (HAVA Fund) for the purchase of equipment and supplies to help voters with disabilities, funded by a grant from the Indiana Secretary of State. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:25 p.m.

Larry Vaughn, citizen, stated that people who are coming downtown to vote absentee have nowhere to park, now that the parking lot across the street from the Market is closed, and so many metered slots have been closed due to construction. The city is once again letting out-of-state companies to come in and decide what areas to close, and this is just another type of poll tax.

There being no further testimony, Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 103, 2015 was adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Cain, Clay, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*

*0 NAYS:*

*3 NOT VOTING: Freeman, Miller, Scales*

Proposal No. 103, 2015 was retitled FISCAL ORDINANCE NO. 16, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) by appropriating a total of \$32,000 for purposes of the Marion County Election Board.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2015 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Election Board.

SECTION 2. The Marion County Election Board, appropriation in the HAVA (Help America Vote Act) Fund for the purchase of equipment and supplies to help voters with disabilities funded by a grant from the Indiana Secretary of State. The following changes to appropriations are hereby approved:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
HAVA 20591		14,000		18,000		32,000

SECTION 3. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 4. Upon approval of this, and other pending approvals, the 2014 year end and projected 2015 year end fund balances are as follows:

	Projected 2014 year-end balance	Projected 2015 year-end balance
HAVA Fund 20591	36,104	4,104

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 104, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 104, 2015 on April 7, 2015. The proposal, sponsored by Councillors Moriarty Adams and Hunter, appropriates an additional \$300,000 in the 2015 Budget of the Information Services Agency (Enhanced Access Fund) to cover the costs associated with revenue recovery for ISA's e-commerce vendor, LoGO Indiana. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:28 p.m. There being no one present to testify, Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 104, 2015 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Cain, Clay, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew  
3 NAYS: Evans, Lutz, McHenry  
2 NOT VOTING: Freeman, Scales

Proposal No. 104, 2015 was retitled FISCAL ORDINANCE NO. 17, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 2015



April 20, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) appropriating an additional Three Hundred Thousand dollars (\$300,000) for purposes of the Information Services Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2015 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Information Services Agency.

SECTION 2. Appropriates \$300,000 from the Enhanced Access Fund for the purposes of covering the costs associated with revenue recovery for ISA's e-commerce vendor, LoGO Indiana

The following additional appropriation is hereby approved:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Enhanced Access Fund	0	0	300,000	0	0	300,000

SECTION 3. Upon approval of this, and other pending approvals, the 2014 year end and projected 2015 year end fund balances are as follows:

<u>FUND</u>	Projected 2014 Year-End balance	Projected 2015 Year-End balance
Enhanced Access Fund	1,293,811	1,215,071

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 106, 2015. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 106, 2015 on April 8, 2015. The proposal, sponsored by Councillors Lewis, Gray and Moriarty Adams, appropriates an additional \$3,500,000 in the 2015 Budget of the Department of Public Safety, Indianapolis Fire Department (IFD General Fund) for the purchase of several fire suppression apparatus. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Oliver asked what plans are in place for the next four or five years regarding vehicle hardware. Matthew Kimmick, City Controller, said that the Fire Cumulative Fund is not sufficient to meet all the needs, but they are working to develop a long-term funding plan and in the meantime will replace what they can. Councillor Gray said that Chief Ernest Malone has a replacement and building assessment plan, and Councillor Oliver should speak to him.

The President called for public testimony at 8:35 p.m.

Mr. Vaughn said that this is another example of money going into the General Fund, where the mayor can pick the pockets of public safety any time he wants. Councillor Lutz said that this is not going into the General Fund and is an appropriation to purchase vehicles that have already been chosen.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Gray, for adoption. Proposal No. 106, 2015 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Cain, Clay, Evans, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew

1 NAY: Holliday  
2 NOT VOTING: Freeman, Scales  
0 ABSENT:

Proposal No. 106, 2015 was retitled FISCAL ORDINANCE NO. 18, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) by appropriating an additional \$3,500,000 for purposes of Department of Public Safety - IFD.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2015 is hereby amended to reflect the increases and reductions hereinafter stated for purposes of IFD, as listed in sections 2 and 3.

SECTION 2. The Department of Public Safety, Indianapolis Fire Department, is requesting an additional appropriation of \$3,500,000 from the IFD General Fund to cover the cost of purchasing several fire suppression apparatus.

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
IFD General	0	0	0	3,500,000	0	3,500,000

SECTION 3. Upon approval of this, and other pending approvals, the 2014 year end and projected 2015 year end fund balances are as follows:

<u>Fund</u>	Projected 2014 Year-End Balance	Projected 2015 Year-End Balance
IFD General	1,496,047	2,310,487

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 63, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 63, 2015 on March 16, 2015, and it received an indecisive vote in Council on March 30, 2015. The proposal, sponsored by Councillors Lewis, Miller, Barth and Adamson, amends the Code to regulate dealers in precious metals and allow for the collection of a registration fee. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Adamson said that it is important to note that this proposal was sponsored by three former neighborhood presidents, and this helps in crime-fighting techniques in the neighborhoods. He asked for support.

Councillor Miller said that the current Code is out of alignment with State statute, and there is some confusion about how metal dealers operate. One of the biggest concerns was with regard to who would be licensing the program, with some angst expressed toward Code Enforcement; but IMPD will be licensing the program.

Councillor Barth recognized Kristin Hale for her efforts at the General Assembly, and President Lewis for bringing this matter forward.

Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 63, 2015 was adopted on the following roll call vote; viz:

20 YEAS: Adamson, Barth, Clay, Gooden, Gray, Hickman, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Simpson, Tew  
7 NAYS: Cain, Evans, Holliday, Hunter, McQuillen, Sandlin, Shreve  
2 NOT VOTING: Freeman, Scales

Proposal No. 63, 2015 was retitled GENERAL ORDINANCE NO. 22, 2015, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 22, 2015

A PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code allow for the registration and regulation of precious metal dealers in the City and County.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 951 of the Revised Code of the Consolidated City and County, is hereby amended to add a new Article V, Dealers in Precious Metals, by adding the language, as follows:

Chapter 951 - PAWNBROKERS, DEALERS IN SECONDHAND GOODS, FLEA MARKET SALES, ~~AND DEALERS~~  
IN SALVAGE OR SCRAP METAL, AND DEALERS IN PRECIOUS METALS

ARTICLE V. – DEALERS IN PRECIOUS METALS

Sec. 951-501. Definitions.

For purposes of this article, the following definitions shall apply:

- (1) Precious Metal means precious metal as defined in IC 24-4-19-6.
- (2) Precious Metal Dealer means a dealer of precious metals as defined in IC 24-4-19-7.
- (3) Purchase means the purchase of property as defined in IC 24-4-19-8.
- (4) Person means an individual, a firm, an association, a limited liability company, a partnership, a joint stock association, a trust, or a corporation.

Sec. 951-502. Registration required.

It shall be unlawful for a person to engage in the business of precious metal dealer without first being registered with the Indianapolis Metropolitan Police Department. A precious metal dealer must submit a registration for each permanent place of business owned or leased by the precious metal dealer.

Sec. 951-503. Registration information required; notification of change.

- (a) A registration required by this article shall be filed on the forms and in the manner directed and approved by the department, and shall include the following:
  - (1) The precious metal dealer's name, address, electronic mail address, and telephone number where the owner can be reached in the event of an emergency; and
  - (2) The name and address of the person responsible for management of the operation of the business.
- (b) If the precious metal dealer is a corporation, the registration shall set forth the following:
  - (1) The name of the corporation exactly as set forth in the Articles of Incorporation;

- (2) The names and addresses of each officer, director, and shareholder owning more than ten (10) percent of the stock of such corporation; and

- (3) The address of the corporation's registered agent for service of process in the state of Indiana.

(c) During the term of the registration, the precious metal dealer registered under this article shall notify the Indianapolis Metropolitan Police Department in writing of any change in circumstances which would render the information contained in the registration incomplete or inaccurate.

Section 951-504. Registration fee, term and revocation.

- (a) The annual fee for registration to deal in precious metals shall be fifty dollars (\$50) for each permanent place of business owned or leased by the precious metal dealer.
- (b) The term of the registration shall expire on the last day of December of the year in which the registration is made, and shall be renewable upon application therefor.
- (c) The department may revoke a registration issued under this article for any violation of this article.

Section 951-505. Records and reporting.

- (a) A precious metal dealer shall keep books and records as required by IC 24-4-19-5 and shall make the records reasonably available to a law enforcement agency upon request.
- (b) Each day a precious metal dealer purchases precious metal at the dealer's permanent place of business, the precious metal dealer shall report the information required by IC 24-4-19-5 to the Indianapolis Metropolitan Police Department.
- (c) The information required to be reported under subsection (b) shall be submitted in written or electronic format, as directed and approved by the department.

SECTION 2. Sec. 131-501 of the Revised Code of the Consolidated City and County, regarding the schedule of license and permit fees, is hereby amended by adding the language that is underlined to read as follows:

**Sec. 131-501. Schedule of license and permit fees.**

The following fees are established for their respective licenses and permits issued by the city or county:

Code Section	License or Permit	Fee
441-364	Operation of certain trucks on certain streets	\$162.00
536-211	Transfer of building permit	\$48.00
536-602	Construction or placement of, or additions to, Class 2 structures for a primary Class 2 structure	For structures less than or equal to 1,000 square feet, a minimum fee of two hundred and seventeen dollars (\$217.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply. Square feet calculation shall include the area of an attached garage or carport and the area of a finished basement or attic, but exclude the area of an unfinished basement or attic
536-602	Accessory Class 2 structure appurtenant to a primary Class 2 structure	For accessory structures less than or equal to 200 square feet a fee of forty-two dollars (\$42.00). For accessory structures greater than 200 square feet and less than or equal to 1,000 square feet, a minimum fee of one hundred ninety-three dollars (\$193.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply

536-602	Construction or placement of, or additions to, Class 1 structures	For structures less than or equal to 2,500 square feet, a minimum fee of three hundred fifty-one dollars (\$351.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-603	Remodeling, alteration, or repair of Class 2 structures; provided, however, that when remodeling, alteration, or repair of a Class 2 structure is accomplished at the same time as an addition to an existing structure, a single permit fee shall be determined according to section 536-602	For structures less than or equal to 1,000 square feet, a minimum fee of one hundred fifty-nine dollars (\$159.00); for each additional 500 square feet, an additional fee of thirty-nine dollars (\$39.00) shall apply
536-603	Remodeling, alteration, or repair of Class 1 structures	For structures less than or equal to 2,500 square feet, a minimum fee of two hundred and fifty-seven dollars (\$257.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Installation of a plumbing system in a new Class 2 structure	For structures less than or equal to 2,500 square feet, a minimum fee of one hundred eighty-five dollars (\$185.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Installation or alteration of a plumbing system in a Class 1 structure	For the first ten (10) fixtures installed, a minimum fee of one hundred eighty-two dollars (\$182.00); for each additional five (5) fixtures, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Alteration, repair or replacement of plumbing in an existing Class 2 structure	For structures less than or equal to 1,000 square feet, a minimum fee of one hundred fifty-three dollars (\$153.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Initial connection or reconnection of plumbing to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building	\$134.00
536-605	Installation of an electrical power distribution system in a new structure or in an addition to an existing structure other than a Class 2 structure	For structures less than or equal to 2,500 square feet, a minimum fee of two hundred two dollars (\$202.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Repair, alteration or remodeling of an electrical power distribution system in an existing structure, or in an addition to a Class 2 structure	For structures less than or equal to 1000 square feet, a minimum fee of one hundred sixty-nine dollars (\$169.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Installation or replacement of space heating equipment using electricity as its primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred and forty-six dollars (\$146.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Installation or replacement of space cooling equipment using electricity as its primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred and forty-six dollars (\$146.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply

536-605	Installation or replacement of combined space heating and space cooling equipment using electricity as their primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred seventy-eight dollars (\$178.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Initial connection or reconnection of electrical power to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building	\$89.00
536-605	Installation, alteration, replacement or repair of a system distributing electrical power to service equipment supplying power to manufactured home located in a manufactured home park	\$498.00
536-605	Obtaining each "electrical craft work certificate of compliance" form, as allowed in subsection 536-404(b)	\$22.00
536-606	Installation, replacement, or addition of a heating system, space heating equipment or other types of heating transfer, or installation, replacement, alteration, or addition of duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred fifty-three dollars (\$153.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Installation, addition or replacement of a cooling system, space cooling equipment, or other types of cooling transfer, or installation, replacement, alteration, or addition to duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred fifty-three dollars (\$153.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Installation, replacement, or addition of combined heating systems and cooling systems, combined space heating equipment and space cooling equipment, or other types of heating or cooling transfer, or installation, replacement, alteration, or addition of duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred eighty-five dollars (\$185.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Refrigeration equipment	\$156.00
536-607	Demolition or removal of primary Class 2 structures located on the same premises	\$127.00
536-607	Demolition or removal of accessory Class 2 structure	\$94.00
536-607	Demolition or removal of Class 1 structures with ground floor area of less than two thousand five hundred (2,500) square feet	\$141.00
536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than two thousand five hundred (2,500) square feet, but less than five thousand (5,000) square feet	\$199.00
536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than five thousand (5,000) square feet, but less than ten thousand (10,000) square feet	\$231.00

536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than ten thousand (10,000) square feet	\$292.00
536-607	Demolition or removal of smokestacks, aboveground storage tanks, overhead hoppers, or other similar structures	\$296.00
536-608	Master permit	The sum of the applicable fees
536-609	Administrative fee	\$215.00
536-610	General service activity permit fee	\$89.00
536-612	General construction permit, where not specified by chapters 536 or 131 of this Code	\$170.00 for Class 1 structures; and \$141.00 for Class 2 structures
536-615	Amendment of a building permit that requires submittal of additional plans	\$101.00
536-616	Building permit renewal after expiration	\$56.00
536-619	Additional service fee for applying for all demolition, master, sign, structural, and infrastructure related permits	\$32.00
536-620	Plan review of a primary or accessory Class 2 structure. Review includes appropriate structural and mechanical plan review	Eighty-five dollars (\$85.00) for structures less than 1,000 square feet. For each additional 500 square feet an additional fee of twenty-one dollars (\$21.00)
536-620	Plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review	Three hundred and forty-six dollar (\$346.00) initial fee; review time in excess of three (3) hours shall be billed at a rate of ninety-one dollars (\$91.00) per hour in addition to the initial fee
536-620	Accelerated plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review	\$316.00 per hour
575-7	Administrative fee for abatement of environmental public nuisance	\$288.00
601-8	Operation of sanitary landfill	\$437.00
645-548	Transfer of right-of-way overhead or subsurface use permit	\$48.00
645-579	Encroachment	\$360.00
671-22	Extension, amendment, or transfer of sewer connection permit	\$56.00
671-122	Private disposal facility	\$100.00
671-159	Extension of sanitary sewer construction permit	\$56.00
671-167	Amendment of sanitary sewer construction permit	\$56.00
671-170	Transfer of sanitary sewer construction permit	\$56.00
801-310	Administrative fee—Licensing	\$215.00
807-203	Adult entertainment business	\$377.00
811-213	Alarm business	\$250.00
831-2	Amusement location	\$207.00
836-2	Kennel, pet shop, or stable	\$200.00
845-106	Ticket broker	\$57.00

875-701	New listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor	\$247.00 for a business entity; and \$377.00 for an individual
875-701	Renewal of a listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor	\$247.00
875-701	Registration of state licensed plumbing contractors who are sole proprietors, and individuals within a corporation who are eligible to secure permits	\$142.00
875-701	Additional names of persons eligible to secure permits for a contractor	\$63.00
881-7	Dance permit	\$209.00
881-7	Annual dance license	\$335.00
886-8	Fire extinguisher service company	\$207.00
895-1	Horse-drawn carriage	\$105.00
901-3	Hotel	\$291.00
903-102	Pedal cabs	\$70.00
909-103	Lobbyist	\$100.00
911-6	Bathhouse, escort service, body painting studio or nude modeling studio	\$319.00
911-6	Escort, body painting model or nude model	\$103.00
912-5	Massage establishment	\$177.00
931-201	Commercial parking facility	\$207.00
936-2	Public pay telephone	\$81.00
951-104	Pawnbroker	\$320.00 for each place of business of licensee
951-302	Annual fee for flea market merchant license	\$143.00
951-404	Dealers in salvage or scrap metal	\$568.00 for each place of business of licensee
<u>951-504</u>	<u>Precious metal dealers</u>	<u>\$50.00 for each place of business</u>
955-1	Trash hauling	\$286.00
961-204	Vendor cart in franchise zone or commercial franchise zone	\$99.00
961-209	Vendor cart transfer	\$69.00
961-303	Vendor cart franchise zone drawing	\$40.00
986-103	Special event fee—250 to 2,500 attendees	\$75.00, or \$175.00 if the special event requires fire department personnel or apparatus



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986-103	Special event fee—Over 2,500 attendees	\$268.00, or \$368.00 if the special event requires fire department personnel or apparatus
986-202	Limited duration license without inspection	\$75.00
986-202	Limited duration license with inspection	\$139.00
987-102	Transient merchant	\$121.00
988-103	Tobacco specialty bar	\$215.00
995-201	Tow business	\$145.00, and \$21.00 for every five (5) tow truck operators employed or contracted by the licensee
996-25	Taxicab operator	\$59.00
996-47	Public vehicle for hire—Per vehicle	\$208.00

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 337, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 337, 2014 on November 17, 2014 and March 16 and April 6, 2015. The proposal, sponsored by Councillors Gooden, Cain and Miller, amends the declaratory resolution for the Meridian I Redevelopment Area to terminate the allocation provisions of the declaratory resolution and terminate the allocation area. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 337, 2014 was stricken by a unanimous voice vote.

PROPOSAL NO. 58, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 58, 2015 on March 10, 2015 and April 7, 2015. The proposal, sponsored by Councillor Pfisterer, amends Chapter 131 of the Code regarding miscellaneous fees, specifically ATM vendor user fees. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 58, 2015 was adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Cain, Clay, Evans, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*1 NAY: Holliday*  
*2 NOT VOTING: Freeman, Scales*

Proposal No. 58, 2015 was retitled GENERAL ORDINANCE NO. 23, 2015, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 2015

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapter 131, Article VI of the Code regarding the miscellaneous fees to add Division 4.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Division 4 to Chapter 131, Article VI of the "Revised Code of the Consolidated City and County," regarding miscellaneous fees, hereby is amended by the addition of the language below to read as follows:

DIVISION 4. – ATM OPERATOR USER FEE

Sec. 131-641. Definitions.

*ATM* means automated teller machine.

*Independent Service Operators of ATMs* means any non-bank provider of ATM services.

Sec. 131-642. User Fee.

A user fee of \$1.25 per ATM transaction shall be imposed on ATM operators for ATM transactions conducted on City-County controlled property.

Sec. 131-643. Allocation of fees received.

Fees received under this section shall be allocated to the City-County agency or department that hosts an ATM.

Sec. 131-644. Cap on surcharges.

Independent Service Operators of ATMs on City-County controlled property may not impose a surcharge greater than \$3.00.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 101, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 101, 2015 on April 7, 2015. The proposal, sponsored by Councillor Moriarty Adams, determines the need for the Marion County Sheriff's Office to lease approximately 985 square feet of office space at 5401 S. East Street, Suite 119 for use by reserves, outside special deputy training and community outreach. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sandlin asked for consent to abstain to avoid the appearance of a conflict of interest as he has a contract with the Sheriff's Department. Consent was given.

Councillor Mansfield moved, seconded by Councillor Hickman, for adoption. Proposal No. 101, 2015 was adopted on the following roll call vote; viz:

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25 YEAS: Adamson, Barth, Cain, Clay, Evans, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Shreve, Simpson, Tew

1 NAY: Holliday

1 ABSTENTION: Sandlin

2 NOT VOTING: Freeman, Scales

Proposal No. 101, 2015 was retitled SPECIAL RESOLUTION NO. 19, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 2015

PROPOSAL FOR A SPECIAL RESOLUTION determining the need for the Marion County Sheriff's Office to lease approximately nine hundred and eighty-five (985) square feet of office space located at 5401 S. East Street, Suite 119, Indianapolis, Indiana.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease of approximately nine hundred and eighty-five (985) square feet of office space at 5401 S. East Street, Suite 119, Indianapolis, Indiana for use by the Marion County Sheriff's Office is needed for the Sheriff's Reserves, training for the Sheriff's Outside Special Deputies, and for community outreach in Marion County.

SECTION 2. The property to be leased is located at 5401 S. East Street, Suite 119, Indianapolis, Indiana and is owned by ZZONE 31 Commercial Office Suites, LLC. Anthony R. Ardizzone and the Anthony R. Ardizzone Irrevocable Trust own more than 10 percent of ZZONE 31 Commercial Office Suites, LLC.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 105, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 105, 2015 on April 16, 2015. The proposal, sponsored by Councillors Osili, Pfisterer and Mansfield, amends the improvement location permit ordinance and zoning ordinance to impose a moratorium on the construction of any gasoline service station, or convenience market where gasoline or other motor fuels are stored and subsequently dispensed, on all C-3 zoned real property in the county until the 2016 Indy Rezone. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gooden asked for consent to abstain due to his law firm representing clients involved in the development deal. Consent was given.

Councillor Mansfield asked to be added as a co-sponsor and said that she is glad to see this happening, as this is very important to neighborhoods.

Councillor Pfisterer said that this has been a while in coming and part of Haughville neighbors have been complaining about the plethora of gas stations popping up. While not all stations fall under this, some are trying to beat the deadline of IndyRezone, because it would no longer allow them to locate in certain areas. She said that this then becomes a huge impact with regard to remediation and environmental hazards when stations are abandoned and left behind. She said that neighbors should be given the opportunity to weigh in on these issues.

Councillor Jackson, Evans, Clay, McHenry, McQuillen, Hickman and Barth all asked to be added as co-sponsors.

Councillor Adamson said that when competition gets thick and there is an oversaturation of gas stations, often those sites get trashed and become an eyesore in the neighborhoods when they are abandoned.

Councillor Miller said that one of the first things he was asked to do as a Councillor was to remonstrate against a gas station. He thanked the neighbors for being here this evening to support this measure, and thanked the staff and Maury Plambeck for their work on this issue.

Councillor Osili said that many gas stations have been allowed to operate within yards of a residence in the C-3 district, and this should not be imposed on any of their neighbors. He thanked fellow Councillors for their support. He said that communities have visions and goals for their neighborhoods, and an abandoned gas station can impact those for 30 to 50 years.

Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 105, 2015 was adopted on the following roll call vote; viz:

*26 YEAS: Adamson, Barth, Cain, Clay, Evans, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*0 NAYS:*  
*3 NOT VOTING: Freeman, Gooden, Scales*

Proposal No. 105, 2015 was retitled GENERAL ORDINANCE NO. 24, 2015, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 2015

PROPOSAL FOR A GENERAL ORDINANCE to amend the Marion County improvement location permit ordinance and zoning ordinance to impose a moratorium on the on the construction of any gasoline service station, or convenience market where gasoline or other motor fuels are stored and subsequently dispensed, on all real property within Marion County that is zoned C-3 until the date when amendments to the zoning ordinances (commonly known as Indy Rezone) of Marion County, Indiana are adopted or June 1, 2016, whichever is earlier in time.

WHEREAS, the planning staff of the Department of Metropolitan Development has worked with community groups, the development community and other stakeholder for over three years to develop a comprehensive rewrite of the zoning ordinances; and

WHEREAS, a steering committee has been established to consider the implementation of the recommended zoning ordinance amendments; and

WHEREAS, citizens of Marion County have been increasingly vocal about opposition to gasoline service stations and convenience markets in C-3 Districts; and

WHEREAS, the proposed draft of the zoning ordinance amendments does not allow automotive fueling stations in C-3 District;

WHEREAS, the Department of Metropolitan Development will soon be taking the amended zoning ordinances through the public hearing processes of the Metropolitan Development Commission and the City-County Council; and

WHEREAS, it is anticipated that at least six months will be required to complete the zoning amendment process; and

WHEREAS, between 2012-2014, 18 permits for gasoline service stations or convenience markets where gasoline or other motor fuels are dispensed in C-3 have been issued; and

WHEREAS, one of those permits has been appealed, and other appeals are likely; and

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WHEREAS, it is typical and expected that gasoline service station and convenience market developers will obtain as many permits as possible before the adoption of amendments to the ordinance; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct findings of the Metropolitan Development Commission and are hereby made a specific part of this ordinance.

SECTION 2. It is deemed to be in the best interest of the health, safety and welfare of the citizens of Marion County that a moratorium is imposed on the construction of any gasoline service station, or convenience market where gasoline or other motor fuels are stored and subsequently dispensed, in C-3 Districts throughout Marion County, Indiana, until the date when amendments to the commercial zoning ordinance of Marion County, Indiana are adopted or until June 1, 2016, whichever is earlier in time.

SECTION 3. Article III of Chapter 730 of the "Revised Code of the Consolidated City and County," regarding improvement location permits, hereby is amended by the addition of a NEW Section 730-310, to read as follows:

Sec. 730-310. Establishment of a moratorium on the issuance of improvement location permits for  
Gasoline service stations and certain convenience markets in C-3 Districts.

No improvement location permit shall be issued for a gasoline service station, or convenience market where gasoline or other motor fuels are stored and subsequently dispensed, in a C-3 District in Marion County from the date of adoption of this section until the date when further amendments to the text of the commercial zoning ordinance are adopted or until June 1, 2016, whichever is earlier in time.

SECTION 4. Section 732-200 of the "Revised Code of the Consolidated City and County," regarding general commercial district regulations, hereby is amended by the addition of a new Subsection 732-200(d), to read as follows:

(d) Moratorium. Notwithstanding any other provision of this chapter, a moratorium hereby is imposed in all C-3 zoning districts throughout Marion County, Indiana on the construction, erection, conversion, enlargement, extension, reconstruction or relocation of, or placement of any gasoline service station, or convenience market where gasoline or other motor fuels are stored and subsequently dispensed, subject to the provisions of this chapter, unless a valid improvement location permit for such work has been obtained prior to the effective date of the moratorium. Such moratorium shall be in effect until the date when additional amendments to the zoning ordinance of Marion County, Indiana are adopted or until June 1, 2016, whichever is earlier in time.

SECTION 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

## NEW BUSINESS

Councillor Pfisterer invited citizens to the 11<sup>th</sup> Annual Job Fair, with more than 50 companies represented, from 10:00 a.m. to 2:00 p.m. tomorrow at the Lakeview Church, 47 Beechway Drive.

Councillor Adamson invited all to the Summer Jobs Jam at the City Market on April 30<sup>th</sup> to promote summer jobs programs for at-risk youth.

Councillor Miller said that he and Councillor Barth are running in the mini marathon as a fundraiser for Project Home Indy, and he would appreciate his colleagues' thoughts for a safe run and event.

## **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) All Councillors in memory of Bill Newman; and
- (2) Republican Councillors in memory of Barb Fowler; and
- (3) Councillor Lutz, McHenry and Pfisterer in memory of Wesley J. Shambaugh; and
- (4) Councillor McQuillen and Hunter in memory of Gary Bippus and Doris "Dee" Stoughton;
- (5) Councillor Cain in memory of William C. Hurst; and
- (6) Councillor Freeman in memory of James Dunkman; and
- (7) Councillor Sandlin in memory of Carol Love Wandling Amon and Jeff Sargent; and
- (8) Councillor Pfisterer and Moriarty Adams in memory of John T. Noone and James R. Dugan; and
- (9) Councillor Mascari in memory of Loretta Harris, Jim Baxter and Kurt Aping.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Bill Newman, Barb Fowler, Wesley J. Shambaugh, Gary Bippus, Doris "Dee" Stoughton, William C. Hurst, James Dunkman, Carol Love Wandling Amon, Jeff Sargent, John T. Noone, James R. Dugan, Loretta Harris and Jim Baxter and Kurt Aping. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:58 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 20th day of April, 2015.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

  
President

ATTEST:

  
Clerk of the Council

(SEAL)